

Deal to limit sale of nitrates

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Rep. Peter King reached an agreement with House Democrats late yesterday afternoon over regulating the sale of ammonium nitrate, a commonly used fertilizer that can be a lethal bomb ingredient.

King (R-Seaford) had pressed for a proposal to register all sellers and buyers of the fertilizer to ensure that they are checked against a terror watch list.

Last week, Democrats on the House Homeland Security Committee had opposed that amendment, saying the list was inaccurate and could stop innocent farmers from tending their crops.

The compromise negotiated yesterday between committee members and their staff would require the Department of Homeland Security to check and register all buyers and sellers within 72 hours of their application to acquire the fertilizer, and to complete any appeals within another 72 hours. The new requirements would take effect after a six-month adjustment period.

"This is a very significant step, said King, the House committee's senior Republican. "In the future, if the worst-case scenario is six days, that for me is very acceptable in the world in which we live."

"It makes no sense that you would be giving the government stamp of approval to someone who was on the terrorist watch list."

A spokeswoman for Democrats on the committee confirmed that a compromise had been reached. Rep. Dan Lungren (R-Calif.), who offered the amendment, argued at a session last week, "If we think watch lists are appropriate for someone to get on an aircraft, it would be similarly appropriate here."

Rep. Eleanor Holmes Norton (D-District of Columbia) warned that the use of the watch list for flying had already caught up innocent people by mistake. Norton worried that a lengthy appeals process could stop farmers from planting their crops altogether.

Two Democratic members of the committee, Rep. Ed Perlmutter (D-Colo.) and Rep. Norman Dicks (D-Wash.), had indicated that they would be willing to support it if the burden on farmers could be minimized.

The American Farm Bureau had also said it would be willing to withdraw its opposition to the amendment if a well-publicized appeals process taking no longer than 72 hours could be created. The Fertilizer Institute has already given its backing to the plan.

King said that in the agreed time frame, "An innocent supplier or farmer will not be tied up because of this, will not be put out of business for this."

He also said that he believed it was important to continue to improve the watch list all the time, to include more guilty names and fewer innocent ones. "It's certainly a work in progress," he said.

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